

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demarlo Tevon Kornegay

Docket No. 5:09-CR-161-1BR

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Demarlo Tevon Kornegay, who, upon an earlier plea of guilty to Felon in Possession of Ammunition, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge on March 8, 2010, to the custody of the Bureau of Prisons for a term of 87 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Demarlo Tevon Kornegay was released from custody on April 17, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 20, 2015, the defendant tested positive for the use of cocaine. He denied using the substance, but recalled taking an “over the counter sex pill” during this time frame. The court was notified and the defendant was reprimanded. Also, the frequency of his drug testing was increased. The defendant was permitted to continue with supervision.

On April 20, 2016, the defendant tested positive for the use of marijuana. The defendant denied use of that substance, but acknowledge that he used cocaine. He has been referred for substance abuse treatment and agreed to serve a 5 day jail sanction. On May 25, 2016 the defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the third use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Julie Wise Rosa
Julie Wise Rosa
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8675
Executed On: May 27, 2016

ORDER OF THE COURT

Considered and ordered this 31 day of May, 2016 and ordered filed and
made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

